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Book Review of Dalia Mitchell's Architect of Justice: Felix S. Cohen and the Founding of American Pluralism

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A Hard Journey: The Life of Don West. By James J. Lorence. (Urbana: University of Illinois Press, 2007. xx, 308 pp. $39.95, ISBN 978-0-252-03231-8.)

In *A Hard Journey,* James J. Lorence paints a vivid portrait of Don West, a labor organizer, leftist political activist, Congregationalist minister, and literary figure who emerged as a significant player in southern radical circles during the Great Depression and postwar era. West, a onetime Communist party member, transcended the narrow limits of political activism and dabbled successfully in education, religion, and literary activities. Lorence attempts to explain West's achievements in different fields as related pieces of his overall commitment to racial understanding and social justice.

Lorence argues that West was a true Renaissance figure who exhibited expertise in numerous arenas, but West's primary contribution lay in labor and political activism. He spent two decades organizing miners, mill workers, and tenant farmers for the Communist and Socialist parties, and he agitated during numerous labor stoppages. West's work took him throughout the South with extended stops in Tennessee, Georgia, Alabama, the Carolinas, and West Virginia, along with sojourns in Ohio and New York City. West developed into a superb labor organizer, although he invariably created dangerous foes and usually attracted trouble.

When Lorence shifts his focus from West's political activism to his literary efforts the work seems to falter somewhat. He points out correctly that West studied at Vanderbilt University and derived inspiration from the famed Nashville "agrarians," including Donald Davidson, Allen Tate, and John Crowe Ransom, who was mistakenly referred to as "Robert Crowe Ransom" on page 82. These writers, along with their collaborators, published the famous manifesto "I'll Take My Stand" in 1930, rejecting the developing New South and arguing for a return to a traditional way of life. West rejected the agrarian mindset in his own work and contended that they longed for a society that never really existed. He, too, sought change in the South but became a bitter critic of what he considered to be the mere romantic antiquarianism of Davidson, Tate, Ransom, Robert Penn Warren, and their associates.

Lorence chronicles West's literary efforts well but he is on shaky ground when he insists that West was a voice of significance and a major literary figure. West was a minor poet whose works, while original, do not seem likely to interest future generations as anything more than period pieces or historical curiosities. Lorence's strenuous efforts to insist otherwise remain unconvincing.

Don West emerges in these pages as a complex and passionate individual, driven by a lifelong commitment to racial and social equality. Lorence's treatment of West is generally sympathetic and favorable. In his eagerness to portray West as a working class hero, Lorence tends to gloss over some of his character's less agreeable personality traits. West tended to demonize those who disagreed with him, he alienated friends regularly, and he seemed indifferent to the suffering his unconventional life-style inflicted on his family, in terms of financial and domestic stability.

Although West may have been a difficult human being, he remained true to himself and to his ideals, and deserves to be remembered today. Lorence has written a good biography worthy of his subject.

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Architect of Justice: Felix S. Cohen and the Founding of American Legal Pluralism. By Dalia Tsuk Mitchell. (Ithaca: Cornell University Press, 2007. xiv, 368 pp. $59.95, ISBN 978-0-8014-3956-8.)

Felix S. Cohen—lawyer, philosopher, and New Dealer as well as the son of the philosopher and legal theorist Morris R. Cohen—has long deserved a full-length intellectual biography, and more than half a century after his death Dalia Tsuk Mitchell has finally, and quite ably, given him his due. *Architect of Justice* is a clearly written, thoroughly researched, and broadly illuminating study of an intriguing and significant, if somewhat peripheral, figure in twentieth-century American legal and political history.

Born in 1907 and named after his father's ex–Harvard University roommate Felix Frankfurter, young Felix Cohen attended City College of New York, studied philosophy at Harvard, and then graduated from Columbia Law School in 1931. Two years later he published his best-known philosophical work, *Ethical Systems and Legal Ideals,* and then went to work for the Bureau of Indian Affairs, where he helped spearhead the Indian New Deal, the Roosevelt administration's effort to strengthen the rights of Indians and protect their tribal cultures and organizations. A nonreligious Jew with commitments to socialism and legal realism, Cohen was fascinated with the heterogeneity of America and the values of cultural "pluralism." Indeed, Tsuk argues, Cohen's intellectual career was focused on examining that pluralism and searching for ways to foster it. Philosophically, his pluralism was an effort "to embrace diversity without endorsing a nonjudgmental relativist view" (p. 53); practically, it was an effort to identify and secure a respected place in American society for endangered minority groups, especially American Indians, immigrants, and Jews.

Architect of Justice makes contributions on a number of levels. It is a study of federal Indian policy during the 1930s and 1940s, an examination of legal realism through the eyes of one of its most distinctive practitioners, a window on American immigration policy in the context of Nazism and World War II, and a personalized account of the disappointments that many American intellectuals experienced in the decade after the war, an account cut short by Cohen's untimely death in 1953 at the age of forty-seven. One of the book's most poignant sections describes Cohen's unsuccessful efforts on behalf of a small group of Jews in Neustadt, Germany, who sought to escape Europe in 1939 by taking advantage of administration plans to encourage immigration to Alaska and the Virgin Islands, an effort that was blocked, not surprisingly, by the State Department. The book's broadest achievement is its subtle analysis of the way in which concerns, values, issues, and events shaped Cohen's thinking across a range of issues and melded them into a distinctive set of ideas. In a concluding section, Tsuk offers Cohen as a moral and intellectual model, an example of an individual who strove earnestly to serve the common good while protecting society's weak and outcast. "Tolerance," she concludes, "was the essence of Cohen's life" (p. 270). While the book could have explained more clearly the precise ways that Cohen's views evolved over the years, it nonetheless remains a first-rate intellectual biography of an unusually thoughtful and engaged lawyer-activist. Readers with a wide range of interests will find it a welcome and insightful addition to the scholarly literature.

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FDR. By Jean Edward Smith. (New York: Random House, 2007. xx, 858 pp. $35.00, ISBN 978-1-4000-6121-1.)

Franklin D. Roosevelt has attracted numerous biographers who have recorded his accomplishments and sought, without much success, to probe his psyche. There is little new to say, but Jean Edward Smith has produced a readable, affectionate synthesis based on meticulous research. If most of the facts are familiar and the book is not highly analytical, it is spiced with fascinating detail. Like a good song, it does not hurt to replay it.

The biography is evenly paced. The best reading lies in the intimate details of the private lives of the Roosevelts. Smith focuses on FDR's humanity, yet illuminates his flaws as well. We glimpse a man who was determined and driven, yet too proud to admit his infirmity and unable or unwilling to verbalize his private thoughts, who deeply within might have feared fear itself.

Roosvelt's greatest accomplishment had nothing to do with the presidency but with conquering polio. His greatest achievement as president had nothing to do with the Great Depression or World War II. It was getting elected from a wheelchair, a feat that might be impossible in an age of televised debates and two-year campaigns. "He was not especially good in any field except politics," Smith writes. "But in politics he had no equal" (p. xii). Roosevelt had the rare opportunity to achieve greatness and seized it. A man of great courage, resilience, and perseverance, he also